

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
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2003 DEC 19 P 3:03

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

U.S. DISTRICT COURT
DISTRICT OF MASS.
MDL NO. 1456


THIS DOCUMENT RELATES TO ALL
CLASS ACTIONS

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Undersigned counsel hereby certifies that he attempted to confer with Plaintiffs' counsel in an effort to narrow the issues raised in Defendants' Motion for Leave to File a Response to Plaintiff's December 5, 2003 Notice of Filing Modified Amended Master Consolidated Class Action Complaint. The parties were unable to resolve or narrow the issues raised in the aforementioned motion.


Mark D. Smith

Dated: December 19, 2003